

	 <p><b>Negotiating Agreement Between City and San Francisco 49ers</b></p> <p>City Council Meeting February 12, 2008</p>

	<p><b>SF 49ers Negotiating Agreement</b></p>
	<p>Purpose:</p> <ul style="list-style-type: none"> <li>■ Obligate the Team, City and Agency to negotiate in good faith towards agreement for the stadium project</li> <li>■ Provide for parties to work on various tasks for stadium project that are important to reaching agreement</li> </ul>

	<b>SF 49ers</b> <b>Negotiating Agreement</b>
	<p>Term of Agreement:</p> <ul style="list-style-type: none"> <li>■ Through December 31, 2008</li> <li>■ Can be terminated earlier if Term Sheet not agreed to by July 22, 2008</li> <li>■ Can be terminated earlier if ballot measure regarding the stadium is not passed by the voters</li> </ul>

	<b>SF 49ers</b> <b>Negotiating Agreement</b>
	<p>Tasks to be undertaken:</p> <ul style="list-style-type: none"> <li>■ Negotiation of a Term Sheet – outline of significant business terms for stadium project</li> <li>■ Resolution of issues with Cedar Fair</li> <li>■ Negotiation of Project Agreements</li> </ul>

	<b>SF 49ers</b> <b>Negotiating Agreement</b>
	<p>Tasks to be Undertaken:</p> <ul style="list-style-type: none"> <li>■ Application for city land use approvals</li> <li>■ Preparation of an EIR for the project</li> </ul>

	<b>SF 49ers</b> <b>Negotiating Agreement</b>
	<p>Tasks to be Undertaken:</p> <ul style="list-style-type: none"> <li>■ Preliminary design on parking structure</li> <li>■ Preliminary engineering work on substation relocation</li> <li>■ Further investigation of the financing for the stadium subject to \$136 million limitation on Agency and City funding</li> </ul>

	<b>SF 49ers Negotiating Agreement</b>
	<p>Financial Provisions:</p> <ul style="list-style-type: none"><li>■ Team to pay all costs for preparation of the EIR and City consultant costs for review of the EIR</li><li>■ If the stadium project does not go forward, the Team will reimburse the City and Agency for consultant costs for garage design.</li></ul>



	<b>Consulting Services</b>
	<ul style="list-style-type: none"><li>■ Specialized consultant services needed to assist with preliminary negotiations</li><li>■ Appropriation of \$500,000 requested from Redevelopment Agency available tax increment revenue</li><li>■ No General Fund monies to be used</li></ul>

	<b>Consulting Services</b> <b>Total: \$500,000</b>
	<ul style="list-style-type: none"> <li>■ \$225,000 for legal, redevelopment law, land use, and negotiating consulting services</li> <li>■ \$150,000 for fiscal and economic land use, economic benefit, and financing options consulting services</li> <li>■ \$125,000 for specific expertise in NFL stadium financing and professional sports franchises</li> </ul>

	<b>Consulting Services</b>
	<ul style="list-style-type: none"> <li>■ Amendment to Keyser Marston Associates agreement for \$45,000</li> <li>■ Payment for additional month of consulting services needed to complete Feasibility Study</li> <li>■ Unexpended funds remain from previous appropriation; no new appropriation needed</li> </ul>

	<h2>Future Consultant Costs</h2>
	<ul style="list-style-type: none"> <li>■ Development Agreement and Ground Lease, Financing</li> <li>■ Legal framework for Stadium Authority and Mello Roos</li> </ul>

	<h2>Future Consultant Costs</h2>
	<ul style="list-style-type: none"> <li>■ Future Cost Estimate: <ul style="list-style-type: none"> <li>– \$500,000 to \$1 million</li> </ul> </li> <li>■ Charge back to Project <ul style="list-style-type: none"> <li>– Reimbursable costs</li> </ul> </li> </ul>

Questions?

